

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Confirmation No.: 2393

Darrell R. ANDERSON et al.

Group Art Unit: 1644

Application No. 09/576,424

Examiner: Phillip Gambel

Filed: May 22, 2000

Patent No. 7,175,847

Issued: February 13, 2007

RECEIVED

OCT 15 2010

OFFICE OF PETITIONS

Title: TREATING INTESTINAL INFLAMMATION WITH ANTI-CD80 ANTIBODIES THAT DO NOT
INHIBIT CD80 BINDING TO CTLA-4

PAYMENT OF DEFICIENCY OWED
DUE TO ERRONEOUS SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is being submitted to address a good faith error in payment of maintenance fees as a small entity.

An executed Statement Claiming Small Entity Status was filed on July 13, 2000. However, fees were paid at the large entity rate during prosecution from May 12, 2003, onwards, and the issue fee was paid at the large entity rate with small entity status disclaimed on the Fee Transmittal form filed August 30, 2006. However, it has come to our attention that the United States Patent and Trademark Office was not notified of a loss of entitlement to small entity status for the above-referenced patent, as required by 37 C.F.R. § 1.27(g)(2).

02/26/2011 GARIAS 00000003 033975 7175847
01 FC:1559 490.00 DA

Adjustment Date: 02/26/2011 GARIAS
10/14/2010 MSANSURA 00000045 033975 7175847
01 FC:1559 490.00 CR
601281950v1

In accordance with 37 C.F.R. § 1.28(c) *et seq.*, we provide an itemization of the deficiency payment below:

Type of fee erroneously paid:	Maintenance Fees (3.5 years)
Small entity fee paid:	\$490.00
Date small entity fee was paid:	August 13, 2010
Deficiency owed:	Maintenance fee \$490 Surcharge (large entity) \$130
Total deficiency payment owed:	\$620.00

This deficiency payment reflects the difference between the 3½ Maintenance Fee for a small entity paid on August 13, 2010, and the current 3½ year Maintenance Fee payment for a non-small entity. Additionally, because this deficiency payment is being made during the grace period for payment of the 3½ year Maintenance Fee (between 3 years 6 months from issuance and 4 years from issuance), the current large entity surcharge for payment of the 3½ year Maintenance Fee is also included in the deficiency payment amount.

Please charge any fees associated with the filing of this document to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any overpayments to the above-referenced Deposit Account.

Respectfully submitted,
PILLSBURY WINTHROP SHAW PITTMAN LLP

By: 

Donna O. Perdue, Ph.D., J.D.
Registration No. 51,166
Customer No. 00909

Date: October 8, 2010

601281950v1